



CRL OP(MD). No.15423 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.15423 of 2023

M.Asaithambi

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Karur Town Police Station,
Karur District.
Crime No.514 of 2023.

... Respondent/Complainant

For Petitioner : Mr.J.Senthil Kumaraiah, Advocate

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.514 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 12.08.2023 for the



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alleged offence under Sections 273, 328 of IPC r/w. Section 24(i) of Cigarette and other Tobacco Products Act, 2003, in Crime No.514 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on secret information, on 12.08.2023 at about 12.30 p.m., the respondent Police inspected the petitioner's grocery shops and found possession of 1.760 kgs (217 pockets) of tobacco products, which is prohibited by the Government and the same was seized by the respondent Police. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he did not commit any such offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that there is one previous case is pending against the petitioner, which is similar in nature.

5. Considering the fact and circumstances of this case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with

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certain conditions;

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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur, and on further condition that the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

7.The petitioner shall file an undertaking affidavit before the concerned trial Court stating that he will not indulge in any such sort of illegal activities in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-
24/08/2023

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24 /08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

indu

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TO
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1. THE JUDICIAL MAGISTRATE NO.I, KARUR,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.
- 3.THE OFFICER IN CHARGE,
SUB JAIL, KARUR.
- 4.THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-12744[I] dated 24/08/2023)

ORDER IN
CRL OP(MD) No.15423 of 2023
Date :24/08/2023

RK (24/08/2023) 4P /7C

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